

REMARKS

Claims 2, 3, 7, 8, and 10 have been amended. Claims 1, 4, 5, 6, and 11 have been canceled. Claims 2-3, and 7-10 remain in the application. Reexamination and reconsideration of the application as amended are respectfully requested. The Examiner's comments are shown in bold.

Claim Rejections - 35 USC § 102

Claims 1 , 2, 6 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanno (U.S. Patent No. 4,546,959).

Claims 1, 6, and 11 have been canceled.

Regarding Claim 2:

Claim 2 has been rewritten in independent form to include all of the limitations of canceled Claim 1. Additionally Claim 2 has been narrowed to recited the limitation of the orifices being disposed on the cylindrical surface of the flow control member. The Applicant most respectfully requests that the Examiner revisit the rejection of Claim 2 as amended. Claim 2 recites the limitations of:

-said flow control member including a cylinder having an outside cylindrical surface and a plurality of bores, said plurality of orifices disposed upon said outside cylindrical surface, each said bore connected to said outside cylindrical surface by one of said orifices; and,

-wherein said cylinder may be selectively rotated so that one of said orifices aligns with said exit port, so that said fluid flows from said first chamber of said primary housing, through said entry port, through said bore connected to said aligned orifice, through said aligned orifice, through said exit port, and into said first chamber of said secondary housing; and. . .

The cylindrical design with the orifices opening on the surface of the cylinder is a key feature of the present invention as can be seen in FIGs. 9-15 and 29-32 and the discussions pertaining thereto. Without the recited placement of the orifices the present invention could not function in the manner intended.

The flow control member of Tanno does not disclose a *flow control member including a cylinder having an outside cylindrical surface and a plurality of bores, said plurality of orifices disposed upon said outside cylindrical surface, each said bore connected to said outside cylindrical surface by one of said orifices*.

Rather Tanno teaches a disc shaped valve 16 having a plurality of oil holes, the valve facing the end of a valve chamber 8. Therefore in accordance with MPEP 2131 (all claim elements not taught), the Applicant submits that Claim 2 as amended distinguishes from Tanno, and should be allowable.

Claim Rejections - 35 USC § 103

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanno.

The Applicant has canceled Claims 4 and 5.

Allowable Subject Matter

Claims 3, 7-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The Applicant has written Claims 3, 7, 8, and 10 in independent form. Claim 9 depends from allowable Claim 8.

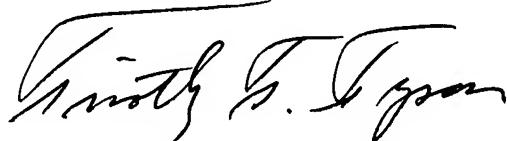
The Applicant honestly believes that the structure of the present invention as recited in Claim 2 as amended differs substantially from that of the cited prior art. In this amendment the Applicant has attempted to point out these structural differences. However, it is not always possible to present those limitations in a manner acceptable to the Examiner. Therefore, the Applicant would also appreciate any comments by the Examiner as to what specific claim language could be utilized to distinguish the claimed invention from the prior art.

Since no PTO Form 948 was included in the subject Office Action, Applicant assumes that the drawings are acceptable as originally submitted.

The application as amended herein now contains five independent claims, and as such a fee of \$86 is included herein.

In view of the above, Applicant respectfully requests allowance of all the claims remaining in the application.

Respectfully submitted,



Timothy T. Tyson Reg. No. 28,915
Freilich, Hornbaker & Rosen
10960 Wilshire Blvd., Suite 1220
Los Angeles, CA 90024-3702

(310) 477-0578